

# FISCAL NOTE

## SB 1792 - HB 1922

April 21, 1997

**SUMMARY OF BILL:** Enacts the *Tennessee Student Religious Liberty Act of 1997* which provides students the right to:

1. Pray in public school, silently or aloud, alone or with others;
2. Express religious viewpoints in schools;
3. Speak to and attempt to persuade other students regarding religious viewpoints;
4. Distribute religious literature at school subject to reasonable time, place, and manner restrictions;
5. Have a reasonable number of excused absences for the observance of religious holidays or to participate in other practices required by the religion; and
6. Be excused from school in order to attend instructional or devotional exercises off school grounds.

If a school violates a student's rights to engage in one of the above activities, the student could assert that violation as a cause of action in a judicial proceeding brought in circuit or chancery court. If the student prevails against the school, the student would be entitled to reasonable attorney fees and court costs.

### ESTIMATED FISCAL IMPACT:

#### Increase in Local Govt. Expenditures\* - Less than \$100,000

Assumes absences from school to attend instructional or devotional exercises away from school grounds will not be on a consistent basis. If such times away from school were on a regular and consistent basis, then the Average Daily Membership (ADM) would decline resulting in fewer state dollars going to the local school systems.

Assumes any attorney fees or court costs paid by a school, from any legal proceeding in which students prevail against a school, would not exceed \$100,000 in any one year.

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director